

sons shall, with the intent aforesaid, take off, or cause to be taken off, any horse or other beast, or cattle of draught or burden, from any carriage of burden or pleasure, or shall practise any other fraudulent means or device, with the intent to evade or lessen the payment of any such toll or duty, all and every such person or persons, offending in manner aforesaid, shall for every such offence respectively, forfeit and pay to the president, managers and company, of the Baltimore and Strasburg turnpike road, the sum of fifteen dollars, to be sued for and recovered with costs of suit, before any justice of the peace, in like manner, and subject to the same rules and regulations, as debts of equal amount are or may be by law recoverable.

“Sec. 14. *And be it further enacted, by the authority aforesaid,* That if the said company shall neglect to keep the said road in good repair for the space of ten days, and information thereof shall be given to any two justices of the peace for the proper county, such justices shall issue a precept to be directed to any constable, commanding him to summon five judicious and disinterested freeholders, to be named by said justices, to meet at a certain time in the said precept to be mentioned, at the place in the said road which is complained of, of which meeting notice shall be given to the keeper of the gate or turnpike nearest thereto; and the said justices shall at such time and place, by the oaths or affirmations of the said freeholders, enquire whether the said road, or any part thereof, is in such good repair as aforesaid, and shall cause an inquisition to be made under their hands and seals, and under the hands and seals of the said freeholders, and if the said road shall be found by the said inquisition to be out of repair, contrary to the intent and meaning of this act, they shall so certify, and send one copy of the said inquisition to each of the keepers of the turnpikes or gates between which said defective place shall be, and from thenceforth the tolls hereby granted to be collected at such turnpikes or gates for the intermediate distance between them, shall cease to be demanded, paid or collected, until it shall have been certified by the said freeholders, or a majority of them, that the said defective part or parts of the said road have been put into good and perfect order and repair as aforesaid; and if any of the keepers of the gates aforesaid shall take or attempt to exact tolls for the intermediate distance between the gates aforesaid, from any traveller, during the time the road shall continue out of repair, such keeper shall forfeit and pay, to the person who shall prosecute for the same, the sum of five dollars, to be recovered before any justice of the peace as debts of equal amount are or may be by law recoverable; but if the same road shall not be put into good repair before the next ensuing court of quarter sessions of the proper county, the said justices shall certify and send a copy of the said inquisition to the justices of the said court, and the said court shall thereupon cause process to issue, and bring in the bodies of the person or persons intrusted by the company with the care and superintendance of such part of the said road as shall be found defective as aforesaid, and shall direct a bill of indictment to be sent to the grand inquest against the person or persons intrusted as aforesaid, and upon conviction shall give such judgment according to the nature and aggravation of the neglect, as the said court in their discretion

Repairs—penalty  
for neglect